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WHOLE 2740

TRUE WORTH EULOGIZED BY BENCH AND BAR

W. N. Armstrong's Memory in Honor.

Speeches at Memorial Session Supreme Court.



LATE HON. W. N. ARMSTRONG.

There was a large attendance of members of the bar in the Supreme Court room at 9:30 yesterday morning, when a committee of the Hawaiian Bar Association by appointment presented before the court memorial resolutions on the death of William Nevins Armstrong. Hon. Lorrin A. Thurston as chairman, the other committeemen being Messrs. Chas. S. Dole and Wade Warren Thayer, moved the resolution as follows:

HON. L. A. THURSTON.

Mr. Thurston said: May it please the Court, on behalf of the Honolulu Bar Association, I have to offer the following resolution:

"Whereas, It has pleased God to take from us the Honorable William Nevins Armstrong, a member of this Association, and a former Attorney General of the Kingdom of Hawaii, be it

"Resolved, That we, the members of the Bar Association of the Hawaiian Islands, do hereby record our appreciation of the industry, integrity and ability which distinguished William Nevins Armstrong in all his undertakings throughout a long and well spent life, and do express our deep sense of the loss which the community and the nation have suffered by his death; be it further

"Resolved, That we tender to the members of the family of the deceased our sincere sympathy with them in their affliction.

"That these resolutions be presented to the Supreme Court of the Territory of Hawaii and motion made for their entry upon the record."

I move that the resolution as presented be entered upon the record of the Supreme Court.

HON. W. O. SMITH.

Hon. W. O. Smith was the next speaker, saying:

I second the motion, may it please the Court, and in so doing desire to pay my tribute to the memory of our departed brother. He probably was not known to the younger generation of attorneys of this bar as a lawyer—more as a journalist, as a cultivated gentleman and friend—but he was a trained lawyer and he rendered good service to this country in the capacity of Attorney General.

I first met Mr. Armstrong personally in New York city in 1869 and '70, where he was practicing law, but did not know him well until he came here the latter part of 1880. In November he came and was appointed Attorney General, which office he held until May of 1882. My relations with him were intimate, as beginning with the year 1881 he appointed me his deputy and during that year of 1881 and until his resignation in May, 1882, I had much to do with him. During the year 1881 he went around the world with the King and was away for a number of months.

As a lawyer my acquaintance with him taught me that while he did not care so much for certain details of the law, the great principles of the law which are the governing principles were dear to him and he was well versed in them. It made him a valuable adviser in the public affairs of the government and in those times and in later years also. He was a man of wide experience, large acquaintance with public men and distinguished men and women in the States and had had a varied experience. He had traveled much. He was in Paris at the time of the Commune and his accounts of his experience at that time were extremely graphic and interesting. He has been in Europe several times other than his trip around the world with the King, which added to his fund of information; and I feel that his knowledge, his experience, his culture, was of very great value to this country at that time.

The journey of the King of this independent monarchy—dependent nation—almost unknown because of its small area and perhaps to its remoteness from the great centers, was a great event and many felt solicitude

at the results of that journey of the King and what the effect might be. It was of great benefit to this country and it was profitable and due very largely to Mr. Armstrong, also to his companion, Col. C. H. Judd. Then in later years in the public affairs of this country, of these islands, in its time of trouble he was an able and temperate adviser. His extensive experience and reading and culture and knowledge of men and knowledge of affairs was of great benefit.

I suppose that most of us who knew him well remember him best for his great heart, his kindness, his genuine courtesy and his loyalty—loyalty to his friends. Mr. Armstrong was a man of broad views, of kindly nature—one who would excuse and explain the errors and faults and shortcomings of others; one who would see the good qualities in men in public places and in private life; one who was a welcome friend, a welcome guest everywhere he was known. He was a man of strong convictions and of large experience. Others did not always agree with him but he was a man who was ready to meet the differences of opinion in others and recognize their weight and worth, if they had any, and to agree or disagree as a gentleman and with courtesy. The world is better for the life of W. N. Armstrong. I believe that he was prepared for death—what we call death. In his intercourse sometimes he gave the impression of perhaps lack of seriousness, but there were the most serious and genuine sides to his nature, and on several occasions I have heard him converse on this subject of the future existence, especially following the tragic death of his friend, S. C. Alexander. I remember of his asking me so quietly and so frankly that I wondered, "I would like to know how he met death," and talked of it in a way which showed his familiarity with the subject. I believe he was a man who was prepared to meet the change—he was a philosopher, he was a man up-right in thinking, in his own living. I shall always value the benefit which I have derived from an acquaintance with him and his life and his cheerful faith in the good that is in the human heart, in human lives and in the world. May it be said of us as it can be truly said of Mr. Armstrong, that the world is better for his living.

FEDERAL JUDGE DOLE.

Judge Sanford B. Dole, of the U. S. District Court for the Territory of Hawaii, made these remarks:

May it please the Court, in approaching this subject and thinking over what I should say at this meeting, I felt how good it would be if some one could produce in a sentence something which would cover the whole ground as a friend of Jenson did when he wrote his epitaph in a moment of inspiration, "Oh rare Ben Jenson," a sentence which has become immortal and which covers the life of that man as no mere panegyric could do.

The personality of Mr. Armstrong is very fresh and vivid to me, the charm of his magnetism, his sympathy, his insight and his broad information as a man of the world. I think I hardly ever met a man who had such a broad acquaintance with the world, with all kinds of people and who was interested in everything that he would come across and remembered it and drew lessons from everything, from all his experience and all his observations, and it was this insight, this analytic insight which he had which made him such good company and such a valuable adviser. He saw beneath the sur-

(Continued on Page 5.)

GAMBLING CASES TO COME UP THIS MORNING

More Tricks by the Police--Advertiser Office Under Police Surveillance Last Night--Un- necessary Witnesses Excused.

Subpoenas were issued yesterday at the instance of Sheriff Brown for the editor and three reporters of the Advertiser to appear in police court this morning when the cases of Alex Nicholls et al., charged with gambling, and the case of assault will be called.

One subpoena in the case of the "Territory vs. John Hopper," had the following names thereon: "W. G. Smith, Editor of the Advertiser; A. P. Taylor, reporter of the Advertiser; H. M. Ayres, reporter of the Advertiser; Mr. Wilson, reporter of the Advertiser; Eug. Devauchelle."

The second, the "Territory vs. Alex. Nicholls and David Laelae," had the same list of names appended, and a third, the "Territory vs. Philip Rivers," also contained the same identical list of names.

A fourth subpoena, issued in the affray case of the "Territory vs. H. M. Ayres and Alex. Nicholls," summoned as a witness, W. G. Smith, the editor of this paper.

Through some mistake the police failed to get all the Advertiser reporters on the list, and the librarian was also omitted. One of the reporters named has not been connected with this paper since Saturday and had never been detailed on gambling cases.

Sheriff Brown issued the warrant for the arrest of Mr. Ayres and Alex. Nicholls.

"I waited all this morning for one or the other to appear and get out a warrant," said the Sheriff, "and both failing to do so, I decided to issue the warrant myself."

Mr. Ayres was placed under arrest early in the afternoon, and Nicholls was booked shortly after 4 p. m.

WATCHING ADVERTISER OFFICE.

Last evening a sextette of police officers in plain clothes established themselves in the doorway of J. M. Levy's grocery store, just opposite the Advertiser office, and appeared to be intently watching the ingress and egress of all persons having business with the Advertiser. The matter became so apparent that pedestrians took notice of the unusual gathering of "detectives," and commented on it. A judicial officer passed along the street, and laughingly called the attention of an officer of the Gazette Company to the "fly cops." Among the group were two of the Leals, who have graduated into the "detective" class conducted by "Assistant" Sheriff Henry Vida.

When an Advertiser reporter stationed himself close to the group and the cops saw that he meant to stick to the vicinity, the crowd dwindled away, until finally only two were left to patrol. These walked back and forth, occasionally letting themselves be lost to sight in a dark doorway, and emerging again to take up their ceaseless surveillance.

The various cases come up before Judge Whitney at 9:30 this morning. Mr. Douthitt in person will act for the County Attorney's office. Recognizing the absurdity of subpoenaing men as witnesses who did not go to see the Nicholls gambling game and did not see the fishmarket affray, Mr. Douthitt excused Walter G. Smith and Albert P. Taylor from attendance. The case could not be so shaped as to question Mr. Smith about antecedent facts tending to establish a direct connection between gamblers and police. It is hoped to bring such evidence into the public records some other way.

A charge of assault with a deadly weapon has been preferred against Nicholls by H. M. Ayres.

DEFENSE FOR SPILLNER.

One of Officer Spillner's friends said yesterday that there were extenuating circumstances in the matter of his failure to enforce the law against the Alex. Nicholls gambling joint.

"His orders are," said this gentleman, "to let such games alone unless instructed to raid them by his superior officers. He raided one some time ago and sent for the patrol wagon, but was rebuffed for it and told to mind his own business thereafter. No matter how much gambling goes on on his beat he must keep his hands off."

RAIDS IN KANSAS CITY.

The police of Honolulu may have a difficult time in securing evidence against gamblers, but the Kansas City (Mo.) police, confronted with the same barriers, including barred doors, etc., get through with jimmies, and take what evidence they find afterwards. The Kansas City Journal of August 8, has the following:

"Detectives Orford and Halvey and Sergeant Eubanks raided the Senate, an alleged gambling house at 905 Baltimore avenue, at 10:30 o'clock last night. F. J. Thompson, charged with being the game-keeper, and nine frequenters were arrested. When the detectives went up the stairway they were refused admittance, but they pried the door open with a 'jimmy.' The cards, chips and other gambling equipment had been locked in a roll-top desk before the police could get inside. Thompson finally consented to open the desk and the police took charge of the chips and cards. They also took \$390 in money."

PROSECUTIONS FOR SEWER RATES ARE TO BE MADE

There appears to be widespread doubt among citizens as to the legal liability for the sewerage rates charged by the Government. The doubt has practical exemplification in arrears booked against users of the privilege to the amount of probably thousands of dollars. Superintendent of Public Works C. S. Holloway was not prepared yesterday, owing to the incompleteness of a list being prepared, to give even an approximation of the sum.

There is a disposition on the part of a majority of sewer users, at all events, not to pay their rates. And there is a purpose on the part of the Government to take proceedings at law for the collection of delinquent sewer-

age rates. Superintendent Holloway and Acting Attorney General Peters have had the matter in hand for some days past.

There are two classes of users to be dealt with—those whose premises were connected with the sewers, respectively, before and after the rates were definitely authorized by legislation. It is likely that test cases will be made out of both classes, and if successful in either or both the results will be followed up by suits all down the list of those found liable. Citizens who used the convenience from an early period in its existence without paying the charges imposed, if found liable for the period before the legislation, will have rather formidable arrears to face.

It is a courtesy that has been alive since the first connections were made with the system four or five years ago.

NEWLANDS HAS GENEROUS IDEAS ON PHILIPPINES



SENATOR FRANCIS G. NEWLANDS.

(Associated Press Cablegrams.)

SAN FRANCISCO, October 24.—Senator Newlands, who returned from the Taft expedition in the Siberia today, has declared his opinion that the Philippines should be given free entry for their sugar and tobacco.

COMMISSIONERS CONDEMN UNITED BANK TRUST CO.

SAN FRANCISCO, October 24.—The Bank Commissioners have refused permission to the United Bank Trust Co., which closed its doors on the 21st inst., to re-open. They declare that the institution's affairs show misappropriations of funds, deceitful assets and shaky investments. It is possible that criminal proceedings may be taken against the directors.

M. WITTE WOULD HAVE RUSSIA AMERICANIZED

ST. PETERSBURG, October 24.—Since his return from the Portsmouth peace conference, M. Witte has been freshly installed in the Imperial favor. There is a probability that he will be the Premier in the proposed Cabinet. He is advocating American liberal ideas.

RUSSIAN STRIKE SPREADING.

ST. PETERSBURG, October 24.—The railroad strike is spreading throughout the Empire.

ISOLATING THE STRIKE.

MOSCOW, October 24.—The strike has been isolated in the city.

BLOODY TAX RIOTS IN CHILI.

SANTIAGO, Chili, October 24.—Rioting over the taxes has taken place, many being killed and wounded.

ROOSEVELT IN ALABAMA.

MOBILE, Ala., October 24.—President Roosevelt has arrived here and been enthusiastically received.

TOCO'S RECEPTION ASHORE.

TOKIO, October 24.—A tremendous reception ashore was tendered to Admiral Togo and his crew.

AFTERNOON REPORT.

WICHITA, Kas., October 23.—Ex-Congressman Jerry Simpson is dead.
ST. PETERSBURG, October 23.—The railroad strike situation is serious.
TUSCOGEE, Ala., October 23.—President Roosevelt spoke to the colored students at the industrial school here today.
BERLIN, October 23.—Herr Von Schten, German minister to Copenhagen, is to succeed Count Von Alvensleben as German ambassador to St. Petersburg.
TOKIO, October 23.—Three hundred and eight war vessels were reviewed here today by the Emperor Mutsuhito. After the review the Emperor received the American and British commanders of vessels here.
SAN FRANCISCO, October 23.—The S. S. Siberia arrived here today from Yokohama, coming direct. Her time was 10 days, 10 hours and 28 minutes. Miss Alice Roosevelt and President E. H. Harriman of the Southern Pacific and parties did not land at San Francisco, but were taken from the steamer by a tug to the Oakland train and departed east.